

# **Mental Health Liaison Group**

April 10, 2001

Honorable John D. Dingell  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Dingell:

The undersigned organizations are writing to express our strong support for the Bipartisan Patient Protection Act of 2001 (H.R. 526), which you have introduced with Representative Greg Ganske. We commend you for your leadership.

Bipartisan support for this new legislation represents a breakthrough on behalf of patients' rights. Your bill provides essential protections for all consumers in the private health insurance marketplace. MHLG is particularly pleased that the legislation contains provisions ensuring continuity of care for people with special health care needs and chronic conditions. Among other things, H.R. 526 assures timely appeals, reforms the utilization review process to require the use of properly trained personnel and guarantees access to emergency and urgent care services (which is of specific concern to adults with severe mental illnesses and children with serious emotional disturbances).

Your bill includes much needed patient protections, strong reforms of the managed care industry and due process protections for providers. H.R. 526 permits persons who have been injured by negligent decisions of health plans that delay or deny care to hold plans legally accountable. This includes persons with mental injury as well as those with physical injury. We believe that removal of ERISA's special exemption from legal accountability will be a strong incentive for health plans to deliver clinically necessary care, obviating the need for lawsuits.

H.R. 526 also includes the requirement that those in closed panel health plans be offered a point of service plan at the time of enrollment, enabling care outside of a network. The bill includes a pro-competitive provision banning health plans from excluding a class of providers based solely on licensure. Medical necessity decisions would be made by clinical peers in a fair and independent appeals process, moving the system away from some of its worst abuses.

Given the history of insurance discrimination against people with mental disorders and the serious problems associated with the delivery of mental health care by HMOs, the Bipartisan Patient Protection Act of 2001 represents a critical step forward.

Sincerely,

Alliance for Children and Families  
American Academy of Child and Adolescent Psychiatry  
American Association for Geriatric Psychiatry  
American Association for Marriage and Family Therapy  
American Association for Psychosocial Rehabilitation

National organizations representing consumers, family members, advocates, professionals and providers  
c/o Peter Newbould, American Psychological Association, 750 First Street, NE, Washington, DC 20002

American Association of Children's Residential Centers  
American Association of Pastoral Counselors  
American Association of Private Practice Psychiatrists  
American Board of Examiners in Clinical Social Work  
American Counseling Association  
American Family Foundation  
American Group Psychotherapy Association  
American Mental Health Counselors Association  
American Nurses Association  
American Orthopsychiatric Association  
American Psychiatric Association  
American Psychiatric Nurses Association  
American Psychoanalytic Association  
American Psychological Association  
Anxiety Disorders Association of America  
Association for the Advancement of Psychology  
Association for Ambulatory Behavioral Healthcare  
Bazelon Center for Mental Health Law  
Children and Adults with Attention-Deficit/Hyperactivity Disorder  
Child Welfare League of America  
Clinical Social Work Federation  
Corporation for the Advancement of Psychiatry  
Federation of Behavioral, Psychological & Cognitive Sciences  
Federation of Families for Children's Mental Health  
International Association of Psychosocial Rehabilitation  
MentalHealth AMERICA, Inc.  
National Alliance for the Mentally Ill  
National Association for Rural Mental Health  
National Association of County Behavioral Health Directors  
National Association of Protection and Advocacy Systems  
National Association of School Psychologists  
National Association of Social Workers  
National Council for Community Behavioral Healthcare  
National Depressive and Manic-Depressive Association  
National Mental Health Association  
Tourette Syndrome Association